



Issuance Date: May 9, 2005
Effective Date: July 1, 2005
Expiration Date: June 30, 2010
Modification Date: June 17, 2005

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT NO. WA0037478**

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington (RCW)
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

**WestFarm Foods
635 Elliott Avenue West
Seattle, WA 98119**

Facility Location:
WestFarm Foods
67 Southwest Chehalis Avenue
Chehalis, WA 98532

Receiving Water:
Chehalis River,
Ground

Water Body I.D. No.:
WA-23-1020

Discharge Location:
Outfall 001, River
Latitude: 46° 39' 41" N
Longitude: 122° 59' 03" W

Industry Type:
Dairy Products

Discharge Location, Ground:
Latitude: 46°, 39' 30" N
Longitude: 122° 59' 43" W
Sections 35 and 36,
Township 14N, Range 3W
Willamette Meridian

is authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.
Southwest Region Manager
Water Quality Program

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	Monthly	August 15, 2005
S5.	Solid Waste Control Plan	1/permit cycle	No Later than January 1, 2009
S5.	Modification to Solid Waste Plan	As necessary	
S6.	Hydrogeologic Study Report and Long Term Monitoring Plan	1/permit cycle	90 days prior to water application
S7.	Irrigation and Crop Management Plan	Annually	April 1, the second year of operation
S8.	Outfall Evaluation	1/permit cycle	January 1, 2010
G1.	Notice of Change in Authorization	As necessary	
G7.	Application for permit renewal	1/permit cycle	No later than January 1, 2009

Modification Date: June 17, 2005

SPECIAL CONDITIONS

In addition to the terms and conditions contained in this permit, the operation of the Wastewater Treatment Plant is subject to the provisions of the Consent Decree, entered on January 18, 2000, in the matter of Centralia, et al. v. EPA, Et al., Civil Action No. C96-5968 RJB, United States District Court for the Western District of Washington at Tacoma.

S1. DISCHARGE LIMITATIONS

0. ☐ Discharge to Surface Waters

1. Process Wastewater Discharges

Beginning on the effective date of this permit lasting through January 18, 2008, the Permittee is authorized to discharge treated dairy products plant process effluent at the permitted location (Outfall 001), or to the Chehalis Wastewater Treatment Plant, subject to meeting the following limitations:

0. ☐ **Interim Limits, All Year**

INTERIM EFFLUENT LIMITATIONS: OUTFALL # 001		
Parameter	Average Monthly ^a	Maximum Daily ^b
Biochemical Oxygen Demand, 5 Day	75 lbs/day	95 lbs/day
Total Suspended Solids	70 lbs/day	92 lbs/day
^a Cumulative All Products		

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly ^a	Maximum Daily ^b
Whole Milk Biochemical Oxygen Demand, 5 Day, lbs/day, Fluid Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Yogurt Biochemical Oxygen Demand, 5 Day, lbs/day, Cultured Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Sour Cream Biochemical Oxygen Demand, 5 Day, lbs/day, Cultured Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Anhydrous Milkfat Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Butter Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c
Vegetable Oil Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^d	0.138 lbs/100 lbs BOD ₅ input ^d
Butter Blends Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c
Cottage Cheese and Cultured Cream Cheese Biochemical Oxygen Demand, 5 Day, lbs/day, Cottage Cheese and Cultured Cream Cheese	0.268 lbs/100 lbs BOD ₅ input ^c	0.670 lbs/100 lbs BOD ₅ input ^c
Ice Cream Mix Biochemical Oxygen Demand, 5 Day, lbs/day, Fluid Mix for Ice Cream and Other Frozen...	0.068lbs/100 lbs BOD ₅ input ^c	0.220 lbs/100 lbs BOD ₅ input ^c
Whole Milk Powder Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Dry Buttermilk Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Skim Milk Powder, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Coffee Sweetener/Whitener Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Whey, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Whey Protein Isolate, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Whey	0.040lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Dry Whey, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c

Modification Date: June 17, 2005

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
WPC-34, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Whey Permeate, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Condensed Milk, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Lactose, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^d	0.345 lbs/100 lbs BOD ₅ input ^c
Casienate, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Milk Calcium, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Corn Sweetener, Biochemical Oxygen Demand, 5 Day, lbs/day, Wheat Starch and Gluten	2.0 lbs/1000 lbs raw material	6.0 lbs/1000 lbs raw material
Apple Juice Biochemical Oxygen Demand, 5 Day, lbs/day, Apple Juice	0.300 lbs/1000 lbs raw material	0.600 lbs/1000 lbs raw material ^d
Citrus Juice Biochemical Oxygen Demand, 5 Day, lbs/day, Citrus Products	0.400 lbs/1000 lbs raw material	0.800 lbs/1000 lbs raw material
Potato Starch Biochemical Oxygen Demand, 5 Day, lbs/day, Dehydrated Potato Products	1.2 lbs/1000 lbs raw material	2.4 lbs/1000 lbs raw material
Other Fruit Juices Biochemical Oxygen Demand, 5 Day, lbs/day, Canned and Preserved Fruits	0.140 lbs/1000 lbs raw material	0.220 lbs/1000 lbs raw material
Carrot Juice Biochemical Oxygen Demand, 5 Day, lbs/day, Canned and Preserved Vegetables	1.110 lbs/1000 lbs raw material	1.760 lbs/1000 lbs raw material

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Biochemical Oxygen Demand, 5 Day, lbs/day, Rice Sweetener	1 lbs/1000 lbs product	3 lbs/1000 lbs product
Whole Milk Total Suspended Solids, lbs/day, Fluid Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.551 lbs/100 lbs BOD ₅ input ^c
Yogurt Total Suspended Solids, lbs/day, Cultured Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.506 lbs/100 lbs BOD ₅ input ^c
Sour Cream Total Suspended Solids, lbs/day, Cultured Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.506 lbs/100 lbs BOD ₅ input ^c
Anhydrous Milkfat Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c
Butter Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c
Vegetable Oil Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^d	0.206 lbs/100 lbs BOD ₅ input ^d
Butter Blends Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c
Cottage Cheese and Cultured Cream Cheese Total Suspended Solids, lbs/day, Cottage Cheese and Cultured Cream Cheese	0.402 lbs/100 lbs BOD ₅ input ^c	1.005 lbs/100 lbs BOD ₅ input ^c
Ice Cream Mix Total Suspended Solids, lbs/day, Fluid Mix for Ice Cream and Other Frozen...	0.132 lbs/100 lbs BOD ₅ input ^d	0.330 lbs/100 lbs BOD ₅ input ^c
Whole Milk Powder Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Dry Buttermilk Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Skim Milk Powder, Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Coffee Sweetener/Whitener Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Whey, Total Suspended Solids, lbs/day, Condensed Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Whey Protein Isolate, Total Suspended Solids, lbs/day, Condensed Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
WPC-34, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Dry Whey, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Whey Permeate, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Condensed Milk, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Lactose, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Casienate, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Milk Calcium, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Corn Sweetener, Total Suspended Solids, lbs/day, Wheat Starch and Gluten	2.0 lbs/1000 lbs raw material	6.00 lbs/1000 lbs raw material
Apple Juice Total Suspended Solids, lbs/day, Apple Juice	0.400 lbs/1000 lbs raw material	0.800 lbs/1000 lbs raw material
Citrus Juice Total Suspended Solids, lbs/day, Citrus Products	0.850 lbs/1000 lbs raw material	1.700 lbs/1000 lbs raw material
Potato Starch Total Suspended Solids, lbs/day, Dehydrated Potato Products	1.4 lbs/1000 lbs raw material	2.8 lbs/1000 lbs raw material
Other Fruit Juices Total Suspended Solids, lbs/day, Canned and Preserved Fruits	0.290 lbs/1000 lbs raw material	0.400 lbs/1000 lbs raw material
Carrot juice Total Suspended Solids, lbs/day, Canned and Preserved Vegetables	2.300 lbs/1000 lbs raw material	3.190 lbs/1000lbs raw material
Total Suspended Solids, lbs/day, Rice Sweetener	1 lbs/1000 lbs product	3 lbs/1000 lbs product
Ammonia, mg/L, N	3	6

INTERIM EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
pH Range, Standard Units (s.u.)	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0	
Fecal Coliform Bacteria, No./100ml	200	400
Total Chlorine Residual, mg/L	N/A	Zero detectable
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average daily effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurements, the daily discharge is the average measurement of the pollutant over the day.		
^c The term BOD ₅ Input shall mean the biochemical oxygen demand of the materials entering into the process. It will be calculated by multiplying the mass of milk fats, proteins and carbohydrates in the milk input by factors of 0.890, 1.031 and 0.691 respectively. The average mass of fats, proteins and carbohydrates shall be determined by the Permittee from his records. The Permittee may revise these averages annually if he so chooses.		
^d Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations. The instantaneous maximum and minimum pH shall be reported monthly.		

b. Final Limits, Subject to S1.2, Below

Beginning eight years from the date of the issuance of the Consent Decree (January 18, 2008), the Permittee is authorized to discharge treated dairy products plant process effluent to the Chehalis River at the permitted location (Outfall 001) subject to the limitations in the table below.

FINAL EFFLUENT LIMITATIONS: OUTFALL # 001		
Parameter	Average Monthly^a	Maximum Daily^b
Biochemical Oxygen Demand, 5 Day	75 lbs/day	95 lbs/day
Total Suspended Solids	75 lbs/day	95 lbs/day
Whole Milk Biochemical Oxygen Demand, 5 Day, lbs/day, Fluid Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Yogurt Biochemical Oxygen Demand, 5 Day, lbs/day, Cultured Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Sour Cream Biochemical Oxygen Demand, 5 Day, lbs/day, Cultured Products	0.135 lbs/100 lbs BOD ₅ input ^c	0.338 lbs/100 lbs BOD ₅ input ^c
Anhydrous Milkfat Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c
Butter Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c
Vegetable Oil Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^d	0.138 lbs/100 lbs BOD ₅ input ^d
Butter Blends Biochemical Oxygen Demand, 5 Day, lbs/day, Butter	0.55 lbs/100 lbs BOD ₅ input ^c	0.138 lbs/100 lbs BOD ₅ input ^c
Cottage Cheese and Cultured Cream Cheese Biochemical Oxygen Demand, 5 Day, lbs/day, Cottage Cheese and Cultured Cream Cheese	0.268 lbs/100 lbs BOD ₅ input ^c	0.670 lbs/100 lbs BOD ₅ input ^c
Ice Cream Mix Biochemical Oxygen Demand, 5 Day, lbs/day, Fluid Mix for Ice Cream and Other Frozen...	0.068 lbs/100 lbs BOD ₅ input ^c	0.220 lbs/100 lbs BOD ₅ input ^c

FINAL EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Dry Buttermilk Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Whole Milk Powder Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Skim Milk Powder, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Coffee Sweetener/Whitener Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Milk	0.065 lbs/100 lbs BOD ₅ input ^c	0.163 lbs/100 lbs BOD ₅ input ^c
Whey, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Whey Protein Isolate, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Dry Whey, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
WPC-34, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Whey Permeate, Biochemical Oxygen Demand, 5 Day, lbs/day, Dry Whey	0.040 lbs/100 lbs BOD ₅ input ^c	0.100 lbs/100 lbs BOD ₅ input ^c
Condensed Milk, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.438 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Lactose, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Casienate, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c

FINAL EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Milk Calcium, Biochemical Oxygen Demand, 5 Day, lbs/day, Condensed Milk	0.138 lbs/100 lbs BOD ₅ input ^c	0.345 lbs/100 lbs BOD ₅ input ^c
Corn Sweetener, Biochemical Oxygen Demand, 5 Day, lbs/day, Wheat Starch and Gluten	2.0 lbs/1000 lbs raw material	6.0 lbs/1000 lbs raw material
Apple Juice Biochemical Oxygen Demand, 5 Day, lbs/day, Apple Juice	0.300 lbs/1000 lbs raw material	0.600 lbs/1000 lbs raw material
Citrus Juice Biochemical Oxygen Demand, 5 Day, lbs/day, Citrus Products	0.400 lbs/1000 lbs raw material	0.800 lbs/1000 lbs raw material
Potato Starch Biochemical Oxygen Demand, 5 Day, lbs/day, Dehydrated Potato Products	1.2 lbs/1000 lbs raw material	2.4 lbs/1000 lbs raw material
Other Fruit Juices Biochemical Oxygen Demand, 5 Day, lbs/day, Canned and Preserved Fruits	0.140 lbs/1000 lbs raw material	0.220 lbs/1000 lbs raw material
Carrot juice Biochemical Oxygen Demand, 5 Day, lbs/day, Canned and Preserved Vegetables	1.110 lbs/1000 lbs raw material	1.760 lbs/1000 lbs raw material
Biochemical Oxygen Demand, 5 Day, lbs/day, Rice Sweetener	1 lbs/1000 lbs product	3 lbs/1000 lbs product
Whole Milk Total Suspended Solids, lbs/day, Fluid Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.551 lbs/100 lbs BOD ₅ input ^c
Yogurt Total Suspended Solids, lbs/day, Cultured Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.506 lbs/100 lbs BOD ₅ input ^c
Sour Cream Total Suspended Solids, lbs/day, Cultured Products	0.203 lbs/100 lbs BOD ₅ input ^c	0.506 lbs/100 lbs BOD ₅ input ^c
Anhydrous Milkfat Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c
Butter Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c

FINAL EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Vegetable Oil Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^d	0.206 lbs/100 lbs BOD ₅ input ^d
Butter Blends Total Suspended Solids, lbs/day, Butter	0.083 lbs/100 lbs BOD ₅ input ^c	0.206 lbs/100 lbs BOD ₅ input ^c
Cottage Cheese and Cultured Cream Cheese Total Suspended Solids, lbs/day, Cottage Cheese and Cultured Cream Cheese	0.402 lbs/100 lbs BOD ₅ input ^c	1.005 lbs/100 lbs BOD ₅ input ^c
Ice Cream Mix Total Suspended Solids, lbs/day, Fluid Mix for Ice Cream and Other Frozen...	0.132 lbs/100 lbs BOD ₅ input ^c	0.330 lbs/100 lbs BOD ₅ input ^c
Dry Buttermilk, Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Whole Milk Powder Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Skim Milk Powder, Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Coffee Sweetener/Whitener Total Suspended Solids, lbs/day, Dry Milk	0.098 lbs/100 lbs BOD ₅ input ^c	0.244 lbs/100 lbs BOD ₅ input ^c
Whey, Total Suspended Solids, lbs/day, Condensed Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Whey Protein Isolate, Total Suspended Solids, lbs/day, Condensed Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Dry Whey, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
WPC-34, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Whey Permeate, Total Suspended Solids, lbs/day, Dry Whey	0.060 lbs/100 lbs BOD ₅ input ^c	0.150 lbs/100 lbs BOD ₅ input ^c
Condensed Milk, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Lactose, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c

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FINAL EFFLUENT LIMITATIONS: OUTFALL #001		
Parameter	Average Monthly^a	Maximum Daily^b
Casienate, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Milk Calcium, Total Suspended Solids, lbs/day, Condensed Milk	0.207 lbs/100 lbs BOD ₅ input ^c	0.518 lbs/100 lbs BOD ₅ input ^c
Corn Sweetener, Total Suspended Solids, lbs/day, Wheat Starch and Gluten	2.0 lbs/1000 lbs raw material	6.00 lbs/1000 lbs raw material
Apple Juice Total Suspended Solids, lbs/day, Apple Juice	0.400 lbs/1000 lbs raw material	0.800 lbs/1000 lbs raw material
Citrus Juice Total Suspended Solids, lbs/day, Citrus Products	0.850 lbs/1000 lbs raw material	1.700 lbs/1000 lbs raw material
Potato Starch Total Suspended Solids, lbs/day, Dehydrated Potato Products	1.4 lbs/1000 lbs raw material	2.8 lbs/1000 lbs raw material
Other Fruit Juices Total Suspended Solids, lbs/day, Canned and Preserved Fruits	0.290 lbs/1000 lbs raw material	0.400 lbs/1000 lbs raw material
Carrot juice Total Suspended Solids, lbs/day, Canned and Preserved Vegetables	2.300 lbs/1000 lbs raw material	3.190 lbs/1000 lbs raw material
Total Suspended Solids, lbs/day, Rice Sweetener	1 lbs/1000 lbs product	3 lbs/1000 lbs product
Ammonia, mg/L, N	3	6
pH Range, s.u.	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0 ^d	
Fecal Coliform Bacteria, No./100ml	200	400
Total Chlorine Residual, mg/L	N/A	Zero detectable
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average daily effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.		

FINAL EFFLUENT LIMITATIONS: OUTFALL # 001		
Parameter	Average Monthly ^a	Maximum Daily ^b
^c The term BOD ₅ Input shall mean the biochemical oxygen demand of the materials entering into the process. It will be calculated by multiplying the mass of milk fats, proteins and carbohydrates in the milk input by factors of 0.890, 1.031 and 0.691 respectively. The average mass of fats, proteins and carbohydrates shall be determined by the Permittee from his records. The Permittee may revise these averages annually if he so chooses.		
^d Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations. The instantaneous maximum and minimum pH shall be reported monthly.		

2. Temperature Mixing Zone Limits

The mixing zone for this discharge for temperature limits extends from 100 feet upstream of the outfall to 300 feet downstream of the outfall. Background sampling for temperature shall be taken at the stairway on the river bank approximately 250 feet upstream of the WestFarm outfall (Sampling Point 3). Compliance temperature shall take place at a point 300 feet downstream of the WestFarm outfall (Sampling Point 4).

3. Temperature Limit Conditions

After January 18, 2008, between May 1 and September 15, the critical period for temperature under this TMDL starts on the next day after the flow in the Centralia Reach falls below 500 cfs. The critical period for temperature between May 1 and September 15 shall cease to exist any time the flow in the Centralia Reach goes above 1000 cfs for three consecutive days until the flow again drops to 500 cfs. From September 16 through October 31, the critical period shall cease to exist after three consecutive days during which the flow of the Centralia Reach is greater than 500 cfs. Counting of consecutive days shall begin on September 13. From November 1 through April 30, the critical period for temperature does not exist regardless of the flow in the River.

Flow of the Chehalis River in the Centralia Reach shall be determined by the USGS Grand Mound gauge using the following conversion equation:

$$Y = 0.7396x - 28.28$$

Where: y is the flow, in cfs, in the Centralia Reach.

x is the flow of the Chehalis River, in cfs, as measured at the USGS Grand Mound gauge.

cfs means cubic feet per second

During the non-critical period, temperature limits are based on the background water temperature upstream of the mixing zone. Table 14 summarizes the temperature limits for WestFarm Foods discharges to the portion of the Chehalis River addressed in this TMDL.

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Table 14. Basis for Temperature Limits for WestFarm Foods Discharges

River Conditions	Background Water Temperature (T) Upstream of the Mixing Zone	Allowable Temperature Increase (t)
Critical Period	$T \geq \text{Water Quality Criterion}$	For Existing Sources: $t = 0.3^{\circ}\text{C}$ at the mixing zone boundary For New Sources: $t = 0.0^{\circ}\text{C}$ at the end of the discharge pipe
Non Critical Period	IF $(\text{Water Quality Criterion} - T) > 28/(T+7)$	THEN For all Sources: $t = 28/(T+7)$
	IF $(\text{Water Quality Criterion} - T) \leq 28/(T+7)$ AND i. $(\text{Water Quality Criterion} - T) \leq 0.3^{\circ}\text{C}$ ii. $(\text{Water Quality Criterion} - T) > 0.3^{\circ}\text{C}$	THEN i. For all Sources: $t = 0.3^{\circ}\text{C}$ ii. For all Sources: $t = (\text{WQ Criterion} - T)$

Notes:

“T” represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge, and “t” represents the maximum permissible temperature increase. Unless specified otherwise, “t” applies at the mixing zone boundary.

4. Decision Rule for Flow Based Effluent Discharge

- a. Beginning eight years from the date of the issuance of the Consent Decree, the discharge to the Chehalis River will conform to both the final limitations shown in S1.A.1.b. above and the following flow based limitations.
- b. For the period May 1, through September 15, of each year, WestFarm Foods shall cease discharge to the Centralia Reach on the next day and all subsequent days after the flow of the Centralia Reach is less than 500 cfs, provided that, if, during this period, the flow in the Centralia Reach goes above 1,000 cfs for three consecutive days, WestFarm Foods may continue/resume discharge to the River. However, WestFarm Foods shall again cease discharge to the Centralia Reach on the next day after the flow is less than 500 cfs.
- c. From September 16, through October 31, WestFarm Foods may discharge to the Centralia Reach after three consecutive days during which the flow of the Centralia Reach is greater than 500 cfs. Counting of consecutive days shall begin on September 13. Once this discharge is allowed, it may continue for the remainder of this period.
- d. From November 1, through April 30, WestFarm Foods may discharge to the Centralia Reach notwithstanding the flow of the River.

- e. The flow of the Chehalis River in cubic feet per second shall be calculated using the following formula:

Flow in the Chehalis River at Outfall 001 shall equal the difference of the product of the flow in cubic feet per second of the Chehalis River at the United States Geological Survey Grand Mound Gage multiplied by 0.7396 minus 28.28.

- f. Discharge of WestFarm Foods Stored Water Back to the River: Beginning on November 1 of each year, WestFarm may begin releasing any stored effluent and rainwater back to the Centralia Reach when the 7-day moving average river flow in the Centralia Reach exceeds 1,000 cfs. Also, WestFarm Foods will discharge stored water at a maximum rate of 200,000 gallons per day (0.2 mgd).

5. Change of Products

When products are introduced to the WestFarm Foods Plant that are not covered by the limitations in 1. Process Wastewater Discharge above, the Permittee will immediately request, in writing, a permit modification to include this product.

B. Discharge to Ground

Discharge to ground is regulated by the Washington Administrative Code (WAC)173-200 and permitted under WAC 173-216.

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to apply wastewater to land via spray irrigation at rates in the Irrigation and Crop Management Plans as required in S8, on the following designated irrigation lands:

Approximately 250 acres located approximately one mile west of the City of Chehalis and one mile north of State Highway 6 and further described as:

Parcel A

That portion of the northeast quarter of the northeast quarter of Section 35, Township 14 North, Range 3 West, W.M., Lewis County, Washington, lying easterly of Scheuber County Road. EXCEPT Scheuber Ditch as disclosed by Quit Claim Deed recorded November 12, 1913, under Auditor's File No. 75279, records of said county.

ALSO, that portion of the north 151 feet of the southeast quarter of the northeast quarter of Section 35, Township 14 North, Range 3 West, W.M., Lewis County, Washington, lying easterly of Scheuber County Road. EXCEPT Scheuber Ditch as disclosed by Quit Claim Deed recorded November 12, 1913, under Auditor's File No. 75279, records of said county.

ALSO, the northwest quarter of the northwest quarter and the north 151 feet of the southwest quarter of the northwest quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington. EXCEPT that portion of the northwest quarter of the northwest quarter of said Section 36, lying westerly of Scheuber County Road.

Parcel B

The north half of the northeast quarter and the northeast quarter of the northwest quarter of Section 36, Township 14 North, Range 3 West, W.M. Lewis County, Washington.

Parcel C

The southeast quarter of the northeast quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington. EXCEPT that part of the southeast quarter of the northeast quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington, described as follows: Beginning at the intersection of the centerline of the Donahoe County Road with the north line of said subdivision; thence west along said north line 600 feet; thence south 240 feet; thence east 600 feet to the centerline of said road; thence north 240 feet to the place of beginning.

ALSO EXCEPT that portion of the southeast quarter of the northeast quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington, described as follows: Beginning at the intersection of the centerline of the Donahoe County Road with the north line of said subdivision; thence south 240 feet along the east line of said subdivision to the true point of beginning; thence west 600 feet; thence south 218 feet; thence east 600 feet; thence north 218 feet to the true point of beginning.

ALSO EXCEPT that portion of the southeast quarter of the northeast quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington, described as follows: Beginning at the intersection of the centerline of the Donahoe County Road with the north line of said southeast quarter of the northeast quarter; thence south 240 feet along the east line of said southeast quarter of the northeast quarter; thence west 600 feet; thence south 418 feet to the true point of beginning; thence north 200 feet; thence east 600 feet to the east line of said southeast quarter of the northeast quarter; thence south 400 feet along said east line; thence west 400 feet; thence northwesterly to the true point of beginning.

ALSO, the easterly 660 feet of the southwest quarter of the northeast quarter of Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington.

Parcel D

That portion of the H.N. Stearns Donation Land Claim in Section 36, Township 14 North, Range 3 West, W.M., Lewis County, Washington, lying northerly of S.R. 6 (formerly Ocean Beach Highway as said Highway is disclosed by Deed recorded June 4, 1921, under Auditor's File No. 132610 and by Deed recorded May 20, 1939, under Auditor's File No. 327277) and easterly of a southerly extension of the west line of the easterly 660 feet of the southwest quarter of the northeast quarter of said Section 36.

Total nitrogen and water applied to the irrigation lands shall not exceed the crop requirements as determined by the Permittee's Irrigation and Crop Management Plan, Condition S7. Discharges shall be subject to the following limitations:

EFFLUENT LIMITATIONS, OUTFALL #002		
Parameter	Average Monthly^a	Maximum Daily^b
Flow	0.48 MGD	0.60 MGD
pH	Daily minimum is equal to or greater than 6.0 s.u. and the daily maximum is less than or equal to 9.0 s.u.	
BOD ₅	60 mg/L	100 mg/L
TSS	100 mg/L	200 mg/L
Total Nitrogen ^c	See S.7	See S.7
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.		
^c The sum of organic nitrogen, ammonia and nitrate.		

At the Permittee's option, a modified Engineering Report may be submitted for review and approval to revise the effluent limits contained in this condition. Any revised limits may be incorporated into this permit as a major permit modification.

S2. TESTING SCHEDULE

A. Discharge to Surface Waters

The Permittee shall monitor the wastewater according to the following schedule:

Tests	Units	Sample Point	Sampling Frequency	Sample Type
Flow	MGD	Sampling Point 1 ^a	Daily	Continuous
Biochemical Oxygen Demand, five-day	mg/L	Sampling Point 1 ^a	Daily	Composite
Total Suspended Solids	mg/L	Sampling Point 1 ^a	Daily	Composite
Ammonia	mg/L	Sampling Point 1 ^a	Weekly	Composite
pH	s.u.	Sampling Point 1 ^a	Daily	Continuous
Fecal Coliform Bacteria	cfu/100 ml	Sampling Point 2 ^b	Three per week	Grab
Total Chlorine Residual	mg/L	Sampling Point 2 ^b	Daily	Grab
Temperature ^c	°C	Sampling Point 4 (T ₂) ^d	Daily	Grab
Temperature ^c	°C	Sampling Point 3 (T) ^d	Daily	Grab

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^a Sampling Point 1 is the “Flow meter, Sampler” shown on the process flow diagram in the permit application, downstream of the clarifier and upstream of the final pump station.
^b Sampling Point 2 is a valve vault on the Chehalis River bank near the outfall-diffuser.
^c After January 18, 2008
^d t (Table 14) = $T - T_2$

B. Discharge to Ground

Tests	Units	Sample Point	Sampling Frequency	Sample Type
Flow	MGD	Sampling Point 3 ^a	Daily	Continuous
Biochemical Oxygen Demand, five-day	mg/L	Sampling Point 3 ^a	Weekly	Grab
Total Suspended Solids	mg/L	Sampling Point 3 ^a	Weekly	Grab
pH	Standard Units	Sampling Point 3 ^a	Weekly	Grab
TKN (as N)	mg/L	Sampling Point 3 ^a	Weekly	Grab
Total Nitrogen	mg/L	Sampling Point 3 ^a	Weekly	Grab
NO ₃ (as N)	mg/L	Sampling Point 3 ^a	Weekly	Grab
NH ₃ (as N)	mg/L	Sampling Point 3 ^a	Weekly	Grab
TDS	mg/L	Sampling Point 3 ^a	Weekly	Grab
Fecal Coliform	mg/L	Sampling Point 3 ^a	Weekly	Grab
Total Iron	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Arsenic	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Cadmium	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Chromium	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Copper	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Lead	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Mercury	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Nickel	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Silver	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
Total Zinc	mg/L	Sampling Point 3 ^a	Annually ^b	Grab
^a Sampling Point 3 shall be a sampling tap at the outfall of the discharge pipe at the storage pond at the land application site.				
^b July each year.				

C. Ground Water Monitoring

The sampling points for ground water will be monitoring wells as approved Ground Water Quality Evaluation Report.

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The Permittee shall monitor the ground water according to the following schedule:

Parameter	Units	Monitoring Well	Sampling Frequency ^a	Sample Type
Ferrous Iron	Present/Absent	All	monthly	Field Measurement
Iron (Total)	mg/L	All	monthly	Grab
Total Organic Carbon	mg/L	All	monthly	Grab
pH	s.u.	All	monthly	Field Measurement
Conductivity	Micromho/cm	All	monthly	Grab
Total Coliform	CFU/100 ml	All	monthly	Grab
Water Level	Feet	All	monthly	Measurement
Temperature	°C	All	monthly	Field Measurement
Bicarbonate	mg/L	All	annually ^b	Grab
Carbonate	mg/L	All	annually ^b	Grab
Chloride	mg/L	All	monthly	Grab
Dissolved Oxygen	mg/L	All	monthly	Field Measurement
Fluoride	mg/L	All	annually ^b	Grab
Sulfate	mg/L	All	annually ^b	Grab
Total Dissolved Solids	mg/L	All	monthly	Grab
NO ₃ (as N)	mg/L	All	monthly	Grab
TKN (as N)	mg/L	All	monthly	Grab
Calcium	mg/L	All	annually ^b	Grab
Magnesium	mg/L	All	annually ^b	Grab
Potassium	mg/L	All	annually ^b	Grab
Sodium	mg/L	All	annually ^b	Grab
Manganese	mg/L	All	monthly	Grab
^a Sampling frequency may be reduced upon receipt of Annual Irrigation and Crop Management Plan.				
^b July each year.				

At least ninety (90) days prior to operating the land application system, the Permittee may request a major permit modification to replace this condition with an alternative groundwater monitoring plan in the Long-Term Groundwater Monitoring Plan that the Permittee will submit to the Department of Ecology (Department) for review and approval pursuant to paragraph 2.G of this Stipulation. The Department agrees that it will fairly consider WestFarm's permit modification request and, if the permit modification request is granted, will expeditiously process the permit modification consistent with legal requirements and available resources. The parties agree that the Board retains jurisdiction to review the Department's determination regarding the major permit modification request. At the board, WestFarm bears the burden of proving that the Department's permit modification determination was unlawful.

D. Soil Monitoring

Semi-Annual Monitoring

During the fall of the year preceding operation of the land application system and once per year at the end of the growing season, the Permittee shall perform soil monitoring on the irrigation lands at the depths identified in the chart. There shall be a separate sampling point for each soil type and for each different crop within each soil type. If

possible, sampling sites shall remain in the same vicinity from year to year. Report results on irrigation and crop management plan. The Permittee shall monitor the soils in the land application system according to the following schedule:

Parameter	Units	Sample Point	Depth Increments
Exchangeable sodium percentage	%	Each field	12 inches
Cation exchange capacity	meq/100g	Each field	12 inches
Organic matter	%	Each field	12 inches
Moisture content	%	Each field	12 inches
TKN (as N)	mg/Kg	Each field	12 inches and 48 inches
NO ₃ (as N)	mg/Kg	Each field	12 inches and 48 inches
NH ₃ (as N)	mg/Kg	Each field	12 inches
Total-P (as P)	mg/Kg	Each field	12 inches
Conductivity	mmhos/cm	Each field	12 inches and 48 inches
Sodium	meq/100g	Each field	12 inches
Calcium	meq/100g	Each field	12 inches
Magnesium	meq/100g	Each field	12 inches
Potassium	mg/Kg	Each field	12 inches
Sulfate (as S)	mg/Kg	Each field	12 inches
pH	s.u.	Each field	12 inches and 48 inches

E. Crop Monitoring

The Permittee shall perform crop monitoring on each field once per harvest. Composite samples will be comprised of at least ten random samples collected from each center-pivot field. Report results on irrigation and crop management plan.

Parameter	Units
Crop production	dry tons/ac
Moisture content	%
Crude protein	%
Total Kjeldahl Nitrogen	%
NO ₃ (as N)	mg/Kg (dry wt)
Total-P (as P)	%
Sodium	mg/Kg (dry wt)
Magnesium	mg/Kg (dry wt)
Potassium	mg/Kg (dry wt)
Calcium	mg/Kg (dry wt)

F. Sampling and Analytical Procedures, Discharge to Surface Waters

Samples are measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the Guidelines

Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136 or to the latest revision of Standard Methods for the Examination of Water and Wastewater (APHA), unless otherwise specified in this permit or approved in writing by the Department.

G. Sampling and Analytical Procedures, Discharge to Ground

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Ground water sampling shall conform to the latest protocols in the Implementation Guidance for the Ground Water Quality Standards, (Ecology 1996.)

Analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the Implementation Guidance for the Ground Water Quality Standards, Ecology 1997, unless otherwise specified in this permit or approved in writing by the Department. Test methods for ammonia, nitrate nitrogen, nitrite nitrogen, and total Kjeldahl nitrogen shall be a PQL of .01 mg/l.

All soil analysis and reporting will be in accordance with Laboratory Procedures, Soil Testing Laboratory, Washington State University, November 1981.

H. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

I. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils, and hazardous waste testing has not been included in the accreditation program. Crops, soils, and hazardous waste data shall be provided by a lab accredited for similar parameters in water media.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be postmarked or received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units, and concentration detected.

Discharge Monitoring Report (DMR) forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit (S2.) using test procedures specified by Condition S3.E. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately and submit the results to the Department within 30 days after becoming aware of the violation;
2. Immediately notify the Department of the failure to comply; and
3. Submit a detailed written report to the Department within 30 days (five days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of this permit.

A. Operations and Maintenance Manual

The Operation and Maintenance (O&M) Manual submitted with the application is acceptable.

The approved O&M Manual shall be kept available at the permitted facility and all operators are responsible for being familiar with, and using, this Manual.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass – Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E “Noncompliance Notification.”

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions – Bypass is authorized by an approval letter issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2)

an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effective analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) if a water quality criteria exceedence is unavoidable, a request for modification of water quality standards as provided for in WAC 173-201A-110, and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing a bypass approval letter:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions – Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

C. Irrigation Land Application

1. There shall be no runoff of wastewater applied to land by spray irrigation to any surface waters of the state or to any land not owned by or under control of the Permittee.

2. The Permittee shall use recognized good practices, and all available and reasonable procedures to control odors from the land application system. When notified by the Department, the Permittee shall implement measures to reduce odors to a reasonable minimum.
3. There shall be no application of wastewater for irrigation purposes when the ground is saturated or frozen.
4. The wastewater shall not be applied to the irrigation lands in quantities that:
 - a. Significantly reduce or destroy the long-term infiltration rate of the soil.
 - b. Cause long-term anaerobic conditions in the soil.
 - c. Cause ponding of wastewater and produce objectionable odors or support insects or vectors.
 - d. Cause leaching losses of constituents of concern beyond the treatment zone or in excess of the approved design. Constituents of concern are constituents in the wastewater, partial decomposition products, or soil constituents that would alter ground water quality in amounts that would affect current and future beneficial uses.

S5. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all know, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit all proposed revisions or modifications to the solid waste control plan to the Department. The Permittee shall comply with any plan modifications. The Permittee shall submit an update of the solid waste control plan with the application for permit renewal.

S6. GROUND WATER MONITORING WELLS AND HYDROGEOLOGIC STUDY

Prior to discharging to ground, the Permittee shall:

- A. Conduct a groundwater hydrogeologic characterization study consistent with the scope of work previously submitted to the Department; and
- B. Submit to the Department, for review and approval, a Hydrogeologic Study Report and Long-Term Groundwater Monitoring Plan. After the Permittee submits to the

Department the Hydrogeologic Study Report and Long-Term Groundwater Monitoring Plan (Plans), the Department shall approve or comment on the Plans within 90 days or the Plans are deemed approved. The Department shall not unreasonably withhold approval of the Plans. The Permittee may begin operation of the land application site after the Department's approval of the Plans. The Permittee shall begin monitoring according to permit conditions S2.B and C at the time the Permittee begins operation of the land application site.

Any dispute that arises with regard to the Department's approval, conditional approval, or refusal to approve the Plans shall initially be subject to a period of informal negotiations between the parties, which period shall not extend beyond thirty (30) days from the date the dispute arises, unless the parties mutually agree in writing to an extension of the period. A dispute shall be considered to have arisen on the date the Department receives written notification from WestFarm that a dispute has arisen. In order to invoke this dispute resolution process, the Department must receive WestFarm's written notification of a dispute within thirty (30) days of the Department's approval, conditional approval, or disapproval of the Plan that is the subject of the dispute. In the event the parties are unable to resolve the dispute informally, the parties agree that WestFarm may file an action in the Thurston County Superior Court of the state of Washington to resolve the dispute. Any such action must be brought within sixty (60) days of the date the Department receives written notification from WestFarm that a dispute has arisen unless the parties have mutually agreed in writing to extend the period of informal negotiations, in which case the time for bringing a Superior Court action shall be extended by an amount of time equal to the extension of the informal negotiation period. In any Superior Court action, the only issue will be whether the Department has unreasonably withheld approval or unreasonably conditioned the Plans and WestFarm shall bear the burden of proof to establish that the Department has unreasonably withheld approval or unreasonably conditioned the Plans.

S7. IRRIGATION AND CROP MANAGEMENT PLAN

An Irrigation and Crop Management Plan for each year of operation shall be submitted annually by April 1, of the year following irrigation application, for Department review and approval. The plan shall generally conform with Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems, Ecology 1993. The plan must be prepared by a soil scientist. The plan shall include the following elements:

A. Annual Summary of Farm Operations for Previous Year

This summary shall include:

1. For each crop grown, the total acreage and quantity harvested.
2. Calculated balances for nutrients, salts, TDS, or other design limiting parameters. The calculations shall include crop consumptive use, process wastewater loadings of nutrients, salts, TDS, or other design limiting parameters, and contributions from commercial fertilizers applied.

3. Calculated water balance. The calculations shall include irrigation system efficiency and application uniformity, the quantity of supplemental irrigation water and process wastewater applied, rain fall, crop consumptive use, water stored in the soil profile outside the normal growing season, and salt leaching requirements.
4. Soil testing results. A summary of the soil testing results shall be submitted and discussed as part of the annual Irrigation and Crop Management Plan.

B. Cropping Schedule for Upcoming Year

This schedule shall include:

1. Crop Management. The proposed acreage for each crop, cultivation and harvesting requirements, expected crop yields, and methods for establishing a crop, and proposed schedule for herbicide, pesticide, and fertilizer application.
2. Irrigation Management. The frequency and timing of wastewater and supplemental irrigation water application (including harvest and non-harvest periods), and recommended rest cycles for wastewater application where organic or hydraulic loading is a concern.

S8. OUTFALL EVALUATION

The Permittee shall inspect the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in the report. By January 1, 2009, the inspection report shall be submitted to the Department.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department.
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
 - 1. Violation of any permit term or condition.
 - 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
 - 3. A material change in quantity or type of waste disposal.
 - 4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR Part 122.64(3)].
 - 5. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR Part 122.64(4)].
 - 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
 - 7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
- B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:
 - 1. A material change in the condition of the waters of the state.
 - 2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
 4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
 5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.
 6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
 7. Incorporation of an approved local pretreatment program into a municipality's permit.
- C. The following are causes for modification or alternatively revocation and reissuance:
1. Cause exists for termination for reasons listed in A1 through A7, of this section, and the Department determines that modification or revocation and reissuance is appropriate.
 2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

G4. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than 60 days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least 180 days prior to the planned start of construction unless a shorter time is approved by the Department. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification

Except as provided in paragraph B below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to \$10,000 and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to \$10,000 for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G16. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G17. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G18. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G19. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G20. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four years, or by both.

G21. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least 180 days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

G22. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

G23. REPORTING REQUIREMENTS APPLICABLE TO EXISTING MANUFACTURING, COMMERCIAL, MINING, AND SILVICULTURAL DISCHARGERS

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify the Department as soon as they know or have reason to believe:

- A. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following “notification levels:”
 - 1. One hundred micrograms per liter (100 µg/l).
 - 2. Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
 - 3. Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - 4. The level established by the Director in accordance with 40 CFR 122.44(f).
- B. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following “notification levels:”
 - 1. Five hundred micrograms per liter (500µg/L).
 - 2. One milligram per liter (1 mg/L) for antimony.
 - 3. Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - 4. The level established by the Director in accordance with 40 CFR 122.44(f).

G24. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.